

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,  
CONSTRUCTION TEAMSTERS HEALTH AND  
WELFARE FUND and INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS, LOCAL 379,  
Plaintiffs

vs.

BAY STATE SWEEPING & CONSTRUCTION CORP.,  
Defendant

and

EASTERN BANK,  
Trustee

C.A. No. 04-12053 GAO

**PLAINTIFFS' MOTION TO WITHDRAW MOTION  
FOR PRELIMINARY INJUNCTION**

Plaintiffs Christopher J. Walsh, as he is Administrator, Construction Teamsters Health and Welfare Fund, et al. herein respectfully move this honorable Court to withdraw Plaintiffs' Motion for Preliminary Injunction, filed on January 11, 2005 and scheduled for hearing on March 14, 2005. As grounds therefore, Plaintiffs state as follows:

1. Defendant has now submitted all payroll documents necessary to an audit of its books and records for the period January 1, 2000 to the present to determine the amount, if any, Defendant owes the Plaintiff Fund.

WHEREFORE, Plaintiffs respectfully move this honorable Court to withdraw their

Motion for Preliminary Injunction.

Respectfully submitted,

CHRISTOPHER J. WALSH, as he is  
ADMINISTRATOR, of the  
CONSTRUCTION TEAMSTERS  
HEALTH AND WELFARE FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman  
Anne R. Sills, Esquire  
BBO #546576  
Gregory A. Geiman  
BBO #655207  
Segal, Roitman & Coleman  
11 Beacon Street, Suite #500  
Boston, MA 02108  
(617) 742-0208

Dated: March 11, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Plaintiff's Motion to Withdraw Motion for Preliminary Injunction has been served by certified and first class mail upon the defendant, Bay State Sweeping and Construction Corp. at 369 3<sup>rd</sup> Street, Everett, MA 02149 this 11<sup>th</sup> day of March, 2005.

/s/ Gregory A. Geiman  
Gregory A. Geiman, Esquire